

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Christopher L. Maska,

Civil No. 10-2277 (DWF/JJK)

Petitioner,

v.

**ORDER ADOPTING REPORT
AND RECOMMENDATION**

State of Minnesota,

Respondent.

Christopher L. Maska, *Pro Se*, Petitioner.

Brian D. Simonson, Assistant St. Louis County Attorney, St. Louis County Attorney's Office; and Kimberly R. Parker and Matthew Frank, Assistant Attorney General, Minnesota Attorney General's Office, counsel for Respondent.

This matter is before the Court upon Petitioner Christopher L. Maska's ("Petitioner") self-styled objections to Magistrate Judge Jeffrey J. Keyes's Report and Recommendation dated July 12, 2010, insofar as it recommends that: (1) Petitioner's application for a writ of habeas corpus pursuant to 28 U.S.C. § 2254 be denied; (2) Petitioner's application for leave to proceed *in forma pauperis* be denied; (3) Petitioner's "Motion For Release Pending Appeal," be denied; (4) this action be summarily dismissed without prejudice.

The Court has conducted a *de novo* review of the record, including a review of the arguments and submissions of counsel, pursuant to 28 U.S.C. § 636(b)(1) and Local Rule 72.2(b). The factual background for the above-entitled matter is clearly and

precisely set forth in the Report and Recommendation and is incorporated by reference for purposes of Petitioner's objections.

Based upon the *de novo* review of the record and all of the arguments and submissions of the parties and the Court being otherwise duly advised in the premises, the Court hereby enters the following:

ORDER

1. Petitioner Christopher L. Maska's self-styled objections (Doc. No. [12]) to Magistrate Judge Jeffrey J. Keyes's Report and Recommendation dated July 12, 2010, are **DENIED**.

2. Magistrate Judge Jeffrey J. Keyes's Report and Recommendation dated July 12, 2010 (Doc. No. [8]), is **ADOPTED**.

3. Petitioner's application for a writ of habeas corpus pursuant to 28 U.S.C. § 2254, (Doc. No. [1]), is **DENIED**.

4. Petitioner's application for leave to proceed *in forma pauperis*, (Doc. No. [2]), is **DENIED**.

5. Petitioner's "Motion For Release Pending Appeal," (Doc. No. 6), is **DENIED**.

6. This action is summarily **DISMISSED WITHOUT PREJUDICE**.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: November 1, 2010

s/Donovan W. Frank
DONOVAN W. FRANK
United States District Judge